United Nations A/65/753

General Assembly

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Sixty-fifth session
Agenda item 45
Question of the Falkland Islands (Malvinas)

Letter dated 18 February 2011 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

In accordance with instructions received from the Government of the United Kingdom of Great Britain and Northern Ireland, I have the honour to refer to the letter dated 4 January 2011 from the Chargé d'affaires a.i. of the Permanent Mission of Argentina addressed to you (A/65/683), transmitting in an annex a response to a letter from the Falkland Islands Government to the Chair of the Special Political and Decolonization Committee (Fourth Committee), circulated as document A/65/617.

The Government of the United Kingdom has no doubt about the sovereignty of the United Kingdom over the Falkland Islands and South Georgia and the South Sandwich Islands, and their surrounding maritime areas.

The Government of the United Kingdom attaches great importance to the principle of and the right to self-determination as set out, respectively, in Article 1, paragraph 2, of the Charter of the United Nations and in article 1 of both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Self-determination underlies our position on the sovereignty of the Falkland Islands. There can be no negotiation on the sovereignty of the Falkland Islands unless and until such time as the Falkland Islanders so wish. They have made clear that they wish to remain British.

In line with our support for the Falkland Islanders' right to self-determination, we support the wish of the Falkland Islands Government to engage with the Special Political and Decolonization Committee of the General Assembly. For many years, therefore, the Falkland Islands Government has sent democratically elected members of its Legislative Assembly to speak before the Decolonization Committee.

The Government of the United Kingdom has not changed its position that the Decolonization Committee fails to take account of the way that the relationship between the United Kingdom and its Overseas Territories has been modernized in a way acceptable to both parties. Furthermore, it notes that resolutions adopted by the Committee on the Falkland Islands are still rooted in General Assembly resolution

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2065 (XX) of 1965. Since this resolution was adopted, factual inaccuracies have come to light which have not been taken into account in subsequent resolutions. The resolutions also fail to take full account of the Charter of the United Nations and the rights of the Falkland Islanders to freely determine their political status.

I should be grateful if you would circulate the text of the present letter as a document of the General Assembly under agenda item 45.

(*Signed*) Mark **Lyall Grant**

United Nations A/65/754–S/2011/83

General Assembly
Security Council

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English
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General Assembly
Sixty-fifth session
Agenda item 36
The situation in the Middle East

Security Council
Sixty-sixth year

Identical letters dated 22 February 2011 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a complaint against Israeli enemy forces which, on 10 February 2011, violated Lebanese territorial integrity (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the sixty-fifth session of the General Assembly, under item 36, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

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Annex to the identical letters dated 22 February 2011 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

At precisely 7.30 a.m. on Thursday, 10 February 2011, an Israeli enemy patrol crossed the technical fence separating the area of the occupied Shab'a Farms with regard to which Lebanon maintains a claim from the liberated area on the outskirts of the town of Kafr Shuba, penetrating some 20 metres into Lebanese territory. It remained there for some time before withdrawing into the occupied Shab'a Farms. This incident constitutes a flagrant violation of Lebanese sovereignty, Security Council resolution 1701 (2006), international law and the Charter of the United Nations, and a threat to international peace and security.

United Nations A/65/755–S/2011/92

General Assembly
Security Council

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25 February 2011

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General Assembly
Sixty-fifth session
Agenda items 34, 39, 66 and 75

Security Council
Sixty-sixth year

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

Responsibility of States for internationally wrongful acts

Letter dated 22 February 2011 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

As you are aware, the most serious international offences, such as war crimes, crimes against humanity and genocide, were committed in the course of the ongoing aggression of the Republic of Armenia against the Republic of Azerbaijan.

On the night of 25 and 26 February 1992, the armed forces of the Republic of Armenia and the official Yerevan-backed irregular armed bands and terrorist groups, with the direct participation of the infantry guards regiment No. 366 of the former Union of Soviet Socialist Republics, the personnel of which was composed mainly of Armenians, implemented the seizure of the town of Khojaly, situated in the Daghlyq Garabagh (Nagorno Karabakh) region of the Republic of Azerbaijan. The attack and capture of the town involved the extermination of hundreds of Azerbaijanis, including women, children and elderly; thousands of civilians were wounded and taken hostage, many of whom remain missing; while the town was razed to the ground.

The level of brutality in Khojaly is shocking: atrocities included scalping, beheading, bayoneting of pregnant women and mutilation of bodies. The facts confirm that the intentional slaughter of the Khojaly town civilians was directed at their mass extermination only because they were Azerbaijanis. Khojaly was chosen as a stage for further aggression, occupation and the ethnic cleansing of Azerbaijani territories.

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Apart from the considerable information in possession of the law enforcement agencies of the Republic of Azerbaijan, the responsibility of the Republic of Armenia and its political and military leadership for the crimes committed in Khojaly is recognized and documented by numerous independent sources, eyewitnesses to the tragedy, as well as admitted by the Republic of Armenia's high-ranking officials and this country's public sources.

In its judgement of 22 April 2010, the European Court of Human Rights arrived at an important conclusion with respect to the massacre in the town of Khojaly, qualifying the behaviour of those carrying out the incursion as "acts of particular gravity which may amount to war crimes or crimes against humanity". The European Court made in this regard the following observation, which leaves no doubt as to the question of responsibility for the crime:

> "It appears that the reports available from independent sources indicate that at the time of the capture of Khojaly on the night of 25 to 26 February 1992 hundreds of civilians of Azerbaijani ethnic origin were reportedly killed, wounded or taken hostage, during their attempt to flee the captured town, by Armenian fighters attacking the town ..." (para. 87).

Against this background, it is notable that the high-ranking officials of the Republic of Armenia cynically regard atrocities committed against Azerbaijani civilians as "glorious victories", which paved the way for their "nation's and ... country's road in modern history" (see, e.g., the statement by President Serzh Sargsyan of the Republic of Armenia of 27 January 2011, available from http://www.president.am/events/statements/eng/?id=85).

The Government of the Republic of Azerbaijan has repeatedly stated, and I have been instructed to point it out once again, that the genocide in Khojaly, along with other grave offences committed in the course of the aggression of the Republic of Armenia against the Republic of Azerbaijan, entails the former's State responsibility under international law and the individual criminal responsibility of those who participated in said acts and their accomplices and accessories.

We proceed from the strong understanding that there can be no long-term and sustainable peace without justice and that ending impunity for the most serious international crimes is essential not only for the purposes of individual criminal responsibility, but also for peace, truth, reconciliation and the rights of the victims.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 34, 39, 66 and 75, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative